

REMARKS

This Response is being filed within one month of the period for reply set forth in the Communication dated April 4, 2006, which expired on May 4, 2006. Accordingly, a one-month extension of time is hereby requested.

Claims 15-24 and 26-30 are currently pending in this case, none of which have been amended further beyond the amendments set forth in the January 24, 2006 response.

In the Communication dated April 4, 2006, the Examiner indicated that the previous reply dated January 24, 2006 was not fully responsive for failure to respond to the Double Patenting rejection of claims 15-24 and 26-30 in view of U.S. Patent No. 6,522,806. To address this rejection, applicant has filed herewith a terminal disclaimer with regard U.S. Patent No. 6,522,806. The present application and U.S. Patent No. 6,522,806 are commonly owned by Ethicon Endo-Surgery, Inc., as is set forth in the attached terminal disclaimer. Applicants submit that the presently filed terminal disclaimer is sufficient to fully overcome the Examiner's rejection.

In view of the foregoing and the terminal disclaimer being filed herewith, applicants believe that each of pending claims 15-24 and 25-30 are in condition for allowance. Accordingly, applicants respectfully request that a notice of allowance be issued.

The Commissioner is hereby authorized to charge the extension fee due under 37 C.F.R. § 1.17(a), the terminal disclaimer fee due under 37 C.F.R. § 1.20(d), and any other fee that may be due in conjunction with this Response to deposit Account No. 10-0750/IND38DIV/MJS.

Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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DATED: May 25, 2006

s/n 10/726,806